Brief proceedings of the M.T.A.L.L.Committee held at Raichur on 2-8-1957 at 8 a.m.

All members except Shri H.Masti Gowda were present.

The Chairman explained the procedure to be followed at such meetings.

Shri Hanumanta Rao Gudihal : What is the object of the questionnaire?

Chairman : There are different tenancy laws in different parts of the State since integration. With a view to having a uniform legislation we are studying different practices and want to know the public opinion and the questionnaires and therefore issued to ascertain the viess.

Shri Hanumanta Rao : The Tenancy law has been of no use to us. Litigatien s have come. Instead of doing such laws, it is better to maintain the status quo. A time may come in future when thejowar will be sold at 16 seers a rupee and the landlords do not find tenants at all. Tenancy laws are being intreduced being afraid of communism.

I know that in spite of our telling our opinion you will go ahead with the framing of the law.

Rent should not be in cash. It should be in kind. If it is in cash the landlords do not get anything at all. There are three types of land: black soil, masari, tari. Rent in first case 2/3 to landlords and 1/3 to tenants and assessment to be paid by the landlord; in case of masari rent should be ⅔ and 1/2 and all expenditure being borne by the landlord.

Family holding should be atleast 150 acres. Landlords should have the liberty to cultivate lands in the adjoining villages. Below 150 acres the landlords should have the liberty to sell it to anybody he likes, There should be no restrictions.

Village officers always misuse the discretion and once the certificate of protected tenant is issued nothing can be done. This is most unsatisfactory.

If tenants want to purchase the land he must pay the price in lumpsum.

Shri G.Madhava Rao, Advocate : I happen to be on the Hyderabad Tenancy Committee and I ention my views below.

Rent has absolutely nothing to do with the assessment. Formerly

it was 1/4. There are very good lands having a very low assessment of Re. 1/-

Seven annas share should be given to landlord; 2½ share would cover the land revenue only. Tenants simply cultivate the land; but do not take care of the land. Responsibility of manuring the land should be left to the tenant. No good tenants personally cultivate. He always takes a sub-tenant and keep 2-3 acres for himself. If there is going to be a condition that the landlord should do it personally it will be very harsh; if he supervises that should be considered as personal cultivation. I had given my opinion to the previous Government and it had agreed. Distance should not come in the way. One may go in the car in the morning and return at night. All personal supervisions should be treated as personal cultivation. In case the landlord does not do this the land may be taken by the Government. In these days of advance communication we may reach any destination early.

In case of non adults, widows, they should be able to cultivate through the servants.

The price of the land should be reasonable and the same may be decided by the magistrates and not Revenue officers. Maximum period of paying the compensation should be 5 years.

Family holding should be as follows : Black soil 35 acres, 50-60 acres in case of mixed land and 80 acres for inferior land. If landlords are cultivating properly above ceiling it should not be taken away from them. Otherwaise ceiling should be five times the family holding.
Shri Raghavendra Rao, Pleader : There should be no family holding but there should be per capita holding. Ceiling should be fixed on cost of living. Ceiling and cost of living should go hand in hand. There should be no absentee landlords. Restrictions should be imposed on absentee landlords. Restrictions should be imposed on tenants also. Restrictions in the present tenancy act are one-sided. Landlords should have the option to receive rent in cash or in kind. Rent should be deposited in the Treasury at the time of paying the land revenue. Administration of tenancy law should be entrusted to civil courts.
Shri Shama Rao, Pleader : As regards excess of the ceiling if landlord

personally cultivateswhy should it not be left to him. We do not say that Revenue courts do not give justice; but if cases are decided by civil courts every one will be happy.

Shri N.B. Patil, Manvi : President of Farmers' Forum : Family holding dry land should be 50 acres; red soil 100 acres; and wet land it should be 12½ percent. 14 times should be the ceiling. He presented the memorandum.

Shri Keshava Rao, Markandinni : Six months' notice should be given to tenants. If you give application to Tahsildar he insists on this notice. By the time case is decided it takes two years. Sometimes one has to wait for 4 years. If the tenant is a defaulter we must be able to give application and Tahsildar must have the power to decide the case immediately.

Shri Devaru Shrinivasrao: I would like to know the object of this Committee and the proposed legislation.

The Chairman explained the object and said that the Committee wants to narrow down the differences between two sections of the Society.

Sri Devaru Srinivasa Rao : I give you my personal opinion. According to Hyderabad Act Rs. 1600 is the gross income for a family holding but it should be Rs. 1800

Rent should be in kind. Half should go to landlord and half should go to tenant. Ceiling should be in accordance with the Hyderabad Act. Five years time should be allowed to a landlord to cultivate the land personally. It is not proper to say that tenant should become the owners; even in contracts one of the parties does not become owner.

The forum of administration of Tenancy act should be left to civil courts.

Shri Narayana Rao Talikot : Govt. is not taking any responsibility between the landlord and tenant. Govt. should fix responsibility between the landlord and tenant. Govt. should be the via media to recover the rent. All educational institutions should be exempted from the purview of the Tenancy Act.

Ceiling should be liberal. Family holding and ceiling should be the same. Below ceiling should be taken. Excess of the ceiling should be taken by Govt. and Govt. should take responsibility to pay compensation.

Cooperative farming society should be started on experimental basis.

Civil courts should be the furum. Non-agriculturists should also be allowed to purchase land.

Shri D. Manik Rao : Family holding should not be arbitrarily fixed. It should be fixed on family members. Other incomes should also be taken into consideration. Rent should be in kind. If it is in cash, landlords become creditors. If tenancy law is to be successful landlords or tenants should not have vested interest. Bombay provisio with regard to assessment is revolutionary. It may be progressive. No managers should be allowed to the appointed. Excess lands should be resumed by Govt. and it should be distributed among the landlords. Both family holding and ceiling should be abolished and there should be one minimum fixed. Our only point is to get more produce. Minimum should be left to landlord on condition that he is prepared to cultivate it properly.

Agricultural tribunals should be estatblished and they should have the jrisdiction only when the cares are referred to him.

Shri M. Rama Rao : Once the family holding and ceiling are fixed landlord should have no restrictions either to resume or dispose of the land.

Rent should be in kind. It should be 1/2 . Ceiling should be fixed taking into consideration all the income. Whenever there is dispute tribunals should be appointed.

Shri K.S,Patil, Yermares, Secretary, Farmers' Forum: There should be no ceiling on land unless it is fixed on other professions.

Shri Bhimsen Rao of Manvi : Law Commission distributed Rs. 800 betweer five members. Standard given to the tenant is less than the prisoner. In my opinion net income should be Rs. 800 for a family.

Protected tenant should have the priority to purchase the land. In that case it should be sold at two annas less in a rupee.

The provisions of Tenancy law should not be applied to endowment to lands. Landlords should have the right to resume the land if he is willing to give the notice to Tahsildars.

Kurudi Hanumeshacharya : Family holding should be 50 acres and the ceiling should be four times. 1/3 should be given as rent.

Sri Channabasappa : Whenever the land has to be sold people having lesser should be given the priority.

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